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333.1	State Lands
L3gru	Guide to
1992	recreational use
	of state trust
	lands

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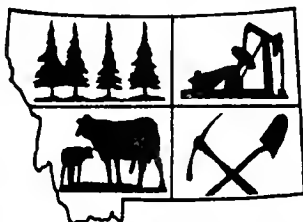
Guide to recreational use of state trust



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MONTANA DEPARTMENT



OF STATE LANDS

GUIDE TO  
RECREATIONAL USE  
OF STATE TRUST LANDS

MARCH 9, 1992

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1515 E. 6th AVE.  
HELENA, MONTANA 59620

to fire danger. On leased or licensed state land, camping and open fires are restricted to campgrounds designated by the Department for public camping. Camping on all state land is limited to 14 consecutive days.

#### 8. Interference with Lessee's Activities:

Recreationists may not interfere with the lessee's legitimate activities conducted pursuant to their lease. For instance the discharge of firearms into or over a herd of livestock is prohibited.

#### 9. Block Management Restrictions: State lands

included in a block management or wildlife management area administered by the DFWP may have additional restrictions on use. State lands within a block management area will be signed and licensed hunting and fishing activities must be in accordance with the rules, regulations and procedures specific to that management area.

### ACCESS TO STATE LANDS

**1. Legally Accessible State Lands:** State lands are legally accessible if they can be accessed by dedicated public road, public right-of-way, or public easement; by public waters such as lakes, rivers and streams that are recreationally navigable under 23-2-302 MCA; by adjacent federal, state, county or municipal land if the land is open to public use; or by adjacent private land if permission to cross the land has been secured from the landowner. Accessibility by aircraft is prohibited. The granting of permission by a private landowner to cross private property in a particular instance does not subject the state land that is accessed to members of the public other than those granted permission. Recreationists are responsible for determining whether state lands are legally accessible and should contact landowners to determine boundaries and use accurate maps.

### TRESPASS

**1. When State Land is Posted:** State land lessees are authorized to post state land against trespass by unauthorized persons. A recreationist possessing a valid recreational use license is not in trespass on state lands when engaged in licensed hunting or fishing activities.

**2. Ask First Before Entering or Crossing Private Lands:** A recreationist may not enter private land from state lands, regardless of the absence of fencing or failure of the owner to provide notice, without permission of the landowner or his agent.

### REMEMBER:

Vehicle use on state lands is restricted. Two tract trails on leased or licensed state land are closed to vehicle use unless indicated as open. No vehicle use is allowed for game retrieval.

### FOR FURTHER INFORMATION REGARDING STATE LANDS

Contact one of the following Department of State Lands offices:

MT Dept. of State Lands 1625 11th Avenue Helena, MT 59620 (406) 444-2074	Forestry Div. Hqs 2705 Spurgin Road Missoula, MT 59801 (406) 542-4300
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Northwestern Land Office 2250 Highway 93 North Kalispell, MT 59901 (406) 752-7994	Northeastern Land Office USDA Bldg., 613 NE Main Lewistown, MT 59457 (406) 538-7789
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Southwestern Land Office 1401 27th Avenue Missoula, MT 59801 (406) 542-4200	Southern Land Office Airport Industrial Park Billings, MT 59101 (406) 259-3264
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Central Land Office 8001 N. Montana St. Helena, MT 59601 (406) 444-3633	Eastern Land Office 321 Main Street Miles City, MT 59301 (406) 232-2045
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#### UNIT OFFICES

Helena Unit 444-3633	Bozeman Unit 586-5243
Dillon Unit 683-6305	Missoula Unit 542-4201
Hamilton Unit 363-1585	Clearwater Unit 793-5757
Anaconda Unit 563-6078	Lewistown Unit 538-5989
Glasgow Unit 228-2430	Libby Unit 293-2711
Plains Unit 826-3791	Stillwater Unit 881-2371
Swan Unit 654-2301	Conrad Unit 278-7869
Kalispell Unit 756-6575	Lincoln Station 362-4999

#### TO REPORT VIOLATIONS

Contact a fish and game warden or contact one of the following numbers:

Montana Dept. of Fish, Wildlife & Parks  
1420 East 6th Avenue, Helena, MT 59620  
(406) 444-2535

Region 1  
4900 North Meridian  
Kalispell, MT 59901  
(406) 752-5501

Region 2  
3201 Spurgin Road  
Missoula, MT 59801  
(406) 542-5500

Region 3  
1400 South 19th  
Bozeman, MT 59715  
(406) 994-4042

Region 4  
4600 Giant Springs Rd.  
Great Falls, MT 59406  
(406) 454-3441

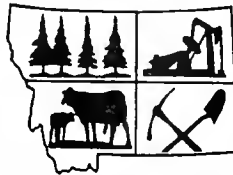
Region 5  
2300 Lake Elmo Drive  
Billings, MT 59106  
(406) 252-4654

Region 6  
Rural Route 1-4210  
Glasgow, MT 59230  
(406) 228-9347

Region 7  
Rural Rte. 1, Box 2004  
Miles City, MT 59301  
(406) 232-4365

Region 8  
1400 8th Avenue  
Helena, MT 59601  
(406) 444-4720

MONTANA DEPARTMENT



OF STATE LANDS

## GUIDE TO RECREATIONAL USE OF STATE TRUST LANDS

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## STATE LANDS RECREATIONAL USE PERMIT

Effective March 1, 1992 accessible state trust lands (hereinafter referred to as state lands) administered by the Department of State Lands(DSL) are open to residents and non-residents for licensed hunting and fishing unless closed or restricted by the Department. State lands are generally sections 16 and 36 of every township, comprise approximately 5.2 million acres, and are colored light blue on most ownership and access maps produced by federal agencies (USDA Forest Service and Bureau of Land Management). State Law requires that state lands be managed to produce revenue to support education in Montana. For each \$5 recreational use license sold, \$3 goes to the educational trust accounts and \$2.00 is used for administration, weed control, damage payments and for license vendor commissions.

## LICENSE REQUIREMENTS

### **1. A \$5 Recreational Use License Required When:**

Any person 12 years of age or older must purchase a recreational use license to use state lands for fishing and hunting for game for which a hunting license is required by the Department of Fish, Wildlife, and Parks(DFWP). Scouting for big game on leased state land is allowed the weekend and the day before the beginning of any hunting season. Persons scouting for game on leased state land and persons accompanying and assisting a person engaged in general recreational use are also required to have a recreational use license. Licenses may be purchased from any authorized license agent of the DFWP. Any person may purchase a recreational use license for a spouse, parent, child, brother or sister.

### **2. A Special Recreational Use License Required**

When: A special recreational use license issued by the DSL is required for camping on leased lands at other than designated campgrounds, commercial recreational activities(such as outfitting), and non-commercial recreational activities by organizations.

### **3. No Recreational Use License Required When:**

Persons conducting types of recreational use other than mentioned above, such as hiking, sightseeing or picnicking do not need a recreational use license. Permission from the lessee or authorization by the DSL is required on leased state lands that are posted by the lessee against trespass.

### **4. Failure to Possess a Valid License:**

Recreationists must have a valid license in their possession when using state lands and present it to a DSL employee or DFWP warden on demand. Failure to present the license to a DFWP warden is a misdemeanor.

## CLOSURES

**1. Categorically Closed State Lands:** The following lands are closed to licensed hunting and fishing by the public:

- \* lands leased or licensed for cabinsites or homesites
- \* lands on which crops are growing, between the time of planting to harvest
- \* military leases while military activities are taking place
- \* active commercial leases
- \* lands on which the Department has declared the threat of wildfire to be extreme.

Lands closed will be posted at all customary access points.

**2. Site Specific Closures:** The Department may also close, after opportunity for public hearing, specific tracts of land, for such reasons as damage to surface improvements of the lessee, wildlife protection, protection of public safety, prevention of significant environmental impact, disruption of calving, lambing or shipping activities, presence of unique or special natural or cultural features, the presence of threatened, endangered, or sensitive species or plant communities, damage attributable to recreational use which diminishes the income generating potential of the state lands, the presence of buildings, structures, or facilities, and noxious weed control. Lands closed will be posted at all customary access points.

## NOTIFICATION REQUIRED PRIOR TO ENTERING LEASED STATE LAND FOR FISHING AND HUNTING

**1. Lessee May Require Notification:** A lessee may require notification from recreationists prior to entering the leased state land. This may be by person, telephone or by drop box. If a lessee wishes to be notified by person or telephone then the lessee must be available to receive notice between the hours of 7:00 AM until 9:00 PM. Prior to entering the tract the recreationist must attempt to contact the lessee. If the recreationist contacts the lessee in person or by telephone, the recreationist must, upon request, provide name, address, recreational use license number, the name and recreational use license numbers of all recreationists in the party and the dates of use (may not include more than three consecutive days of use).

**2. If the Lessee Cannot be Contacted:** If the recreationist attempts to contact the lessee by telephone or in person but the lessee is not available, or if it is more than 5 road miles from the recreationist's access point for the state land to the nearest public telephone or to the location at which the lessee is available, then the recreationist can provide notification by leaving a notice in the drop box provided on the tract. The notice must provide the recreationist's name, address, recreational use

license number, names, addresses, and recreational use license numbers of each person the party, and the dates of use (may not include more than three consecutive days).

**3. Failure to Notify:** If the lessee has posted signs requiring notice and if the recreationist fails to notify the lessee prior to entering the tract, the Department may revoke the general recreational use license and prohibit the person from obtaining one for up to 2 years.

## RESTRICTIONS

**1. Motorized Vehicle Use:** Motorized vehicle use, to include an automobile, truck, motorcycle, and all terrain vehicles, on state lands by recreationists are restricted to federal roads, state roads, dedicated county roads, other county roads regularly maintained by the county and those roads on state lands designated by the Department as open for motor vehicle use. Off road travel by motor vehicles is prohibited.

**2. Snowmobile Use:** Snowmobile use is only allowed on roads if permitted by applicable traffic laws and regulations. On leased land snowmobile use is restricted to those DSL roads that have been designated as open to motor vehicle use. On unleased land snowmobile use is allowed except in areas where specifically prohibited.

**3. Parking:** Recreationists may park on state land within 50 feet of a customary access point; on federal roads and highways, state highways, and county roads in accordance with applicable traffic laws and regulations; and within 50 feet of any other road designated by the Department for public access across state land. Recreationists may not park so as to block vehicle access to the tract or in a manner that produces injury to the land or the lessee's improvements.

**4. Provisions for Disabled Hunters:** Hunters possessing a "permit to hunt from vehicle" issued by the DFWP are authorized to drive on any road on state land except a road that is closed by the Department by sign or barrier.

**5. Discharge of Firearms:** Firearms must be used in a careful and prudent manner and may not be discharged within 1/4 mile of an inhabited dwelling without the permission of an inhabitant.

**6. Littering:** Littering on state lands is prohibited. Recreationists must pack out their litter.

**7. Camping and Open Fires:** Camping and open fires on unleased state land is allowed except where specifically prohibited or restricted due

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(406) 444-2074                (406) 542-4300

Northwestern Land Office      Northeastern Land Office  
2250 Highway 93 North        USDA Bldg., 613 NE Main  
Kalispell, MT 59901            Lewistown, MT 59457  
(406) 752-7994                (406) 538-7789

Southwestern Land Office      Southern Land Office  
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Missoula, MT 59801            Billings, MT 59101  
(406) 542-4200                (406) 259-3264

Central Land Office            Eastern land Office  
8001 N. Montana St.           321 Main Street  
Helena, MT 59601              Miles City, MT 59301  
(406) 444-3633                (406) 232-2045

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